

EPA REGION III

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◇ PM Headlines

Monday, March 26, 2012

***** PM HOT LIST *****

Environmentalists gather evidence in case of gas drilling pollution in Nockamixon

THE DOYLESTOWN INTELLIGENCER While a gas and oil company works to secure a permit to drill in Nockamixon, a small group of local scientists and environmentalists are moving quickly to put a safeguard in place. The Bridgeton Nockamixon Tinicum Groundwater Committee has gained the support of those three townships to move forward with a project to install water meters in the Rapp Creek, an exceptional value waterway located along the proposed natural gas well site. A meter would be positioned near the proposed gas well pad site. Another two would later be installed upstream and downstream of the 102-acre former Cabot chemical property once drilling begins. The hazardous waste site is located in the township's Revere section, near Routes 611 and 412.

DEP chief dismisses criticism of state oil, gas regulations

PITTSBURGH TRIBUNE-REVIEW Pennsylvania's top environmental official called the idea that new oil and gas regulations cripple municipal control over the industry "overblown." Speaking before the Pittsburgh Airport Area Chamber of Commerce on Friday, Department of Environmental Protection Secretary Michael Krancer said he does not think the Act 13 law "changed the world that much." "Municipalities never had the authority to bar anything from their borders," he said. A proposed lawsuit from seven communities claims Act 13 unconstitutionally strips local governments of some of their regulation power because it allows the state to set standards for where and when drilling can occur. It allows local governments to enact an optional per-well fee on drillers based on the average annual price of natural gas. The law, which the General Assembly passed last month, is scheduled to take effect on April 14. Petitioners in the lawsuit include Peters, Robinson, Mt. Pleasant and Cecil, all in Washington County, as well as South Fayette in Allegheny County. In the northeastern part of the state, Nockamixon and Yardley in Bucks County joined the effort. Municipalities will pay their solicitors for legal work and split costs for expert witnesses.

Erie federal judge rejects oil and gas industry motion

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right to use surface or groundwater to conduct their hydraulic fracturing, an Erie federal judge ruled Friday. Under Pennsylvania law, the federal government -- as the surface property owner -- doesn't have the right to block the mineral owner's access to the minerals, but a 1980 federal court decision and U.S. District Judge Sean McLaughlin's 2009 decision give the agency some limited control on how the gas companies drill inside the national forest. The Pennsylvania oil and gas industry had asked McLaughlin to find the agency in contempt of his order because it is banning the use of the water and also taking more than 60 days to process the notices.

Ohio dirtiest river, PennEnvironment study finds

PITTSBURGH TRIBUNE-REVIEW From the choice of photo on the report's cover to its portrait of contaminants in the nation's rivers, environmental experts questioned a study released on Thursday that said the Ohio River has more industrial pollutants than any major river in the country. PennEnvironment, a nonprofit, environmental advocacy group, prepared the 48-page report, "Wasting Our Waterways 2012." It paints a harrowing picture of the country's rivers and lakes and ranks Pennsylvania seventh among the states in toxic industrial emissions that get into waterways. The state Department of Environmental Protection said the report's cover photo, showing a pipe pumping dark, murky water into what appears to be a waterway, is an edited version of a stock photo showing dark-colored water gushing from a pipe into a contained treatment facility. The photo is from Shutterstock, a website with stock photos.

Survey: Drilling isn't bringing in much tax money

WILKES-BARRE CITIZENS' VOICE A quarter of Pennsylvania public school officials in districts located above the Marcellus Shale say their schools have adjusted curriculum to adapt to the natural gas industry's work force needs, but less than 5 percent have seen an increase in local tax revenues, according to survey results released this week by Penn State Cooperative Extension. The study examined challenges and changes facing schools in areas of rapid Marcellus Shale development based on a survey of nearly 1,000 superintendents, Career Technology Center directors, and high school principals and curriculum directors in the 17 intermediate units underlain by the shale formation. Researchers received responses from 78 school leaders in areas with a high amount of well-drilling activity, 294 school leaders in areas with less drilling activity, and 24 CTC directors. More than 80 percent of officials in districts with a high level of drilling activity and more than 50 percent of officials in districts with less activity agreed that Marcellus development will have a "big effect" on their local economy and work force needs. But about two-thirds of the surveyed officials said they did not have enough detailed information about Marcellus work force needs to justify changing their curriculum to address it, and the same number said financial constraints would make it difficult to make curriculum changes in response to the new industry.

Md. Near Top of New Green Jobs Report

CityBizList-Baltimore Maryland's workforce was more "green" than all but three other states and the nation's capital in 2010, according to data released Thursday by the U.S. Bureau of Labor Statistics. The first ever Green Goods and Services Survey, which measured jobs in green services and goods production, found 87,000 Maryland workers held such jobs. Green jobs accounted for 3.6 percent of all jobs in the state. Nationwide, 3.1 million workers, or 2.4 percent of all workers, were employed in producing green goods or services in 2010.

Blog: Foreign predators: The EPA must get tough on lake intruders

PITTSBURGH POST-GAZETTE Although the shipping industry has made improvements to keep fish, plants and bacteria from other continents out of the ballast water of ocean-going vessels, the United States and Canada are nowhere near a long-term solution to prevent more exotic species from wreaking havoc on the Great Lakes. The Obama administration should not lose sight of this and Great Lakes states like Pennsylvania must pressure the Environmental Protection Agency to write tough ballast water rules. The lakes' threat of Asian carp from the Mississippi River made people forget about the billions of dollars of damage caused by eastern European

zebra mussels that were transported in the ballast water of ships to the lakes in 1986. Zebra and quagga mussels, their larger biological cousins that followed them, fanned out across the lakes, clogged intake pipes, destroyed food for native fish and are partly to blame for algae problems.

3-36-12: The Sauer Dump Superfund Site

MARYLAND MORNING The Sauer Dump site has recently been declared a Superfund site. But what does that mean for how it gets cleaned up? We talk with Linda Dietz, the EPA Branch Chief for Superfund Sites in Maryland and western Pennsylvania, about the site and how it's going to get cleaned up. Baltimore Gas and Electric is one of the parties considered responsible for the contamination. They opposed declaring the site a Superfund area, the following is what they told us when we asked why. BGE is committed to environmental stewardship and has very comprehensive plans and processes in place to ensure the company operates in an environmentally responsible manner. BGE is aware that the EPA has conducted investigations at the property in the past and has fully cooperated with the EPA's information requests about the site. We also asked the Maryland Department of the Environment to join our conversation, they declined and sent us this statement:

AEP to retire fewer coal fired units than planned

STEEL GURU Reuters reported that American Electric Power will retire fewer coal fired plants than it had anticipated last year, as it seeks approval to modify an 800-megawatt plant instead of shutting it down. The power company said it plans to retire 11 coal-fuelled units with a total power generation capacity of more than 4,600 MW to comply with strict emission norms laid down by the Environmental Protection Agency. Last year, it had said it would retire 6,000 MW of coal fired generation to comply with the rules. Rivals FirstEnergy and Duke Energy had also announced major coal closures. AEP said its new estimate differed from last year as it has already closed down a 450-MW unit in February and has decided to seek regulatory approval in Kentucky to retrofit the Big Sandy unit 2 with emission control equipment.

***** MORNING HOT LIST *****

Shell plant attracts watchful eyes

PITTSBURGH POST-GAZETTE The ethylene cracker facility that Shell Chemical wants to build in Beaver County to process "wet gases" from the Marcellus and Utica shales has the potential to add significant emissions to the area's industrial air pollutants. As a result, according to the U.S. Environmental Protection Agency, such an industrial facility would need to utilize "best available control technologies" to meet strict air emissions regulations and offset any emissions increases with equal or greater reductions from other facilities.

As natural gas production grows, questions arise about methane leaks

MCCLATCHY NEWSPAPERS WASHINGTON -- As natural gas production in the United States hits an all-time high, a major unanswered question looms: What does growing hydraulic fracturing mean for climate change? The Obama administration lists natural gas as one of the "clean energy sources" it wants to expand. When burned, natural gas emits about half the heat-trapping carbon dioxide as coal. Yet natural gas production can result in releases of methane into the atmosphere. Methane, the primary component of natural gas, is 25 times more potent as a greenhouse gas than carbon dioxide. Methane can enter the atmosphere when gas is stored or transported, but it's particularly a concern with shale gas production during flowback -- when fracking fluids, water and gases flow out of a well after drilling but before the gas is put into pipelines.

State tells natural gas drillers to reuse water

THE DANVILLE DAILY ITEM HARRISBURG -- With 7 million gallons of water withdrawn from Pennsylvania waterways each day for use in the natural gas industry, the state Department of Environmental Protection has revised a general permit that encourages recycling wastewater and fluids from oil and natural gas drilling. The permit would also lower water withdrawal amounts for hydraulic fracturing. The permit aims to streamline recycling by what is called a closed-loop process, in which liquid waste from oil and gas well sites is treated or processed, then used again, said Kevin Sunday, DEP spokesman.

Deadline nears for county to impose shale fee

PITTSBURGH POST-GAZETTE Allegheny County Council has until April 16 to impose a levy on natural-gas fracking wells if it wants to share in the \$180 million expected to be raised this year by the new "impact fee." The issue will be considered by members of council's Economic Development & Housing Committee at 4 p.m. Tuesday. The new charges would apply to all "unconventional" wells drilled deep into the planet's Marcellus and Utica shale layers. The new fees are permitted under state Act 13, which was passed by the Legislature and signed by Gov. Tom Corbett last month.

Delaware City residents getting a read on their air quality

NEWSWORKS Residents of Delaware City are hoping a new monitoring effort will give them a better sense of what effect the nearby refinery has on the air they breathe. Air monitors in three residential areas near the Delaware City Refinery are testing for dust, volatile organic compounds, sulfur dioxide and ammonia for two weeks this month. Sarah Bucic, of the Delaware City Environmental Coalition, said they will compare the results with air samples taken last year when the refinery was temporarily closed.

EPA's veto of Spruce Mine permit overturned

CHARLESTON GAZETTE Judge: Agency's interpretation of Clean Water Act 'unreasonable'
CHARLESTON, W.Va. -- A federal judge has overturned the Obama administration's veto of the largest mountaintop-removal mining permit in West Virginia history, saying the agency greatly oversteps its authority in blocking the controversial project. U.S. District Judge Amy Berman Jackson ruled that the federal Environmental Protection Agency is not authorized to withdraw a Clean Water Act permit that already was issued by the U.S. Army Corps of Engineers.

Environmental Groups Vow to Fight Mountain Top Ruling

HUNTINGTON HERALD-DISPATCH Washington, D.C. — The U.S. District Court for the District of Columbia today ruled in the case where industry has attacked the Environmental Protection Agency's veto of the extremely destructive Spruce No. 1 Mine in West Virginia. The following is a statement from the environmental and community groups who were granted amicus curiae status by the court — Sierra Club, Ohio Valley Environmental Coalition, Coal River Mountain Watch, and the West Virginia Highlands Conservancy, represented by attorneys at Earthjustice and Appalachian Mountain Advocates:

PENNSYLVANIA

PHILADELPHIA INQUIRER

From Early Bird Invasive snakehead fish found in Tinicum One look at those big teeth and that eel-like body, and Gary Stolz knew: A northern snakehead had been caught in a tidal area of the John Heinz National Wildlife Refuge at Tinicum. The three-pound, 24-inch fish was caught Thursday, on the west side of Route 420. It meant that this odd and ugly invasive species, so bizarre it's been dubbed "frankenfish," was continuing its slow but sure colonization of the region's waterways. Whether it fits seamlessly into the food chain of the region or its voracious appetite for fish, frogs, and even small mammals allows it to take over the aquatic ecosystem is still a matter of conjecture.

From Early Bird Beekeepers, others, call for ban of pesticide It was in the fall of 2006 that Pennsylvania beekeeper Dave Hackenberg first started noticing problems with his hives. By the next February, he figured he had lost all but 800 of his 3,000 hives. Something was killing the bees. Researchers later tagged it with a name -- Colony Collapse Disorder -- but they have been unable to determine precisely what is killing the bees. Last week, beekeepers and others filed an emergency petition with the U.S. Environmental Protection Agency, asking it to suspend use of a pesticide that, after years of frantic work by researchers, has been associated with the bee die-offs.

From Early Bird Labor Dept. releases its first report on green jobs Liz Robinson long ago reconciled herself to the naysayers, the folks who thought that green jobs were some figment of a tree hugger's imagination. "I think people don't understand," said Robinson, executive director of the Energy Coordinating Agency, a Philadelphia nonprofit that trains people to perform energy audits on houses and buildings in the city.

PITTSBURGH POST-GAZETTE

From Early Bird Blog: Toxic status quo: There's a long way to go in cleaning up waterways Pittsburgh's rivers have become such popular spots for recreation that it's been easy to assume that toxin-laden waters were a relic of the region's past. Sadly, says a study released Thursday by the PennEnvironment Research and Policy Center, not nearly enough has changed in the 40 years since the federal Clean Water Act was adopted to make America's rivers, streams, lakes and estuaries safe for fishing and swimming by 1983. Instead, industrial pollution is responsible for fouling or threatening water quality on more than 14,000 miles of rivers and 220,000 acres of lakes and ponds. In 2010, industries dumped 226 million pounds of toxic chemicals into the nation's waterways -- including 1.5 million pounds of chemicals linked to cancer, 626,000 pounds tied to developmental disorders and 354,000 pounds connected to reproductive disorders.

From Early Bird Drilling activity: The county needs to act soon on the state law Pennsylvania's new law regulating the Marcellus Shale gas industry has sent Allegheny County Councilman Michael Finnerty back to the drawing board on his proposal that called for bigger buffer zones around drilling platforms and compressor stations. State Act 13 made moot Mr. Finnerty's idea of keeping the drilling facilities at least 1,000 feet from residences and schools and at least 500 feet from permanent water sources such as ponds, lakes and streams. The law, with exceptions for densely populated areas, sets the no-drilling limit at 500 feet from residences in many suburban areas, for instance.

From Early Bird Shell plant attracts watchful eyes The ethylene cracker facility that Shell Chemical wants to build in Beaver County to process "wet gases" from the Marcellus and Utica shales has the potential to add significant emissions to the area's industrial air pollutants. As a result, according to the U.S. Environmental Protection Agency, such an industrial facility would need to utilize "best available control technologies" to meet strict air emissions regulations and offset any emissions increases with equal or greater reductions from other facilities.

From Early Bird Deadline nears for county to impose shale fee Allegheny County Council has until April 16 to impose a levy on natural-gas fracking wells if it wants to share in the \$180 million expected to be raised this year by the new "impact fee." The issue will be considered by members of council's Economic Development & Housing

Committee at 4 p.m. Tuesday. The new charges would apply to all "unconventional" wells drilled deep into the planet's Marcellus and Utica shale layers. The new fees are permitted under state Act 13, which was passed by the Legislature and signed by Gov. Tom Corbett last month.

From Early Bird New anti-fracking ad takes aim at HB 1950 A paid advertisement that is set to air Monday on KDKA radio focuses on what a social justice organization says are the negative side affects of House Bill 1950, which Gov. Tom Corbett signed into law last month. The 60-second advertisement is paid for by the Communities United For Rights and Environment, a project of the Thomas Merton Center Roots of Promise campaign. The advertisement mentioned the problem of local zoning and trade secrets that prevents drilling companies from releasing a list of all of the chemicals used in the hydraulic fracturing process. "Our municipal leaders have been stripped the right to zone gas drilling facilities," the ad said. "Fracking and toxic waste ponds can be 500 feet close to our homes, schools, hospitals, day cares and water bodies. Noxious water processing plants can be 750 feet or closer."

Shrill noises from compressors could affect plants

A researcher at the National Evolutionary Synthesis Center in North Carolina has linked noise pollution from by natural gas wells to effects on plants. According to a story from NPR, the compressors generating shrill noises are deterring certain birds from the area, some of which are important to seed dispersal. Clinton Francis checked out his suspicion in Rattlesnake Canyon in New Mexico by setting up motion-trigger cameras and laying out seeds to see if the noise was keeping the scrub jays away.

Blog: Foreign predators: The EPA must get tough on lake intruders Although the shipping industry has made improvements to keep fish, plants and bacteria from other continents out of the ballast water of ocean-going vessels, the United States and Canada are nowhere near a long-term solution to prevent more exotic species from wreaking havoc on the Great Lakes. The Obama administration should not lose sight of this and Great Lakes states like Pennsylvania must pressure the Environmental Protection Agency to write tough ballast water rules. The lakes' threat of Asian carp from the Mississippi River made people forget about the billions of dollars of damage caused by eastern European zebra mussels that were transported in the ballast water of ships to the lakes in 1986. Zebra and quagga mussels, their larger biological cousins that followed them, fanned out across the lakes, clogged intake pipes, destroyed food for native fish and are partly to blame for algae problems.

STANDARD SPEAKER

From Early Bird Climate change likely to mean coastal change A favorite off-duty place to explore during my years of Air Force Reserve duty at Langley Air Force Base, Hampton, Va., was the barrier island chain known as the Outer Banks of North Carolina. Not just for the wildlife, salty air and open spaces (at least on Cape Hatteras National Seashore), but also as a special place at which to watch wild nature at work - as when Hurricane Dennis made landfall there on Aug. 30, 1999.

POTTSTOWN MERCURY

From Early Bird Occidental Chemical cleanup has not been completed The Occidental Chemical Superfund site in Lower Pottsgrove is still contaminated with carcinogens and neurotoxins that could cause serious health threats in the future. The site is not cleaned up. The \$2.1 million settlement between EPA and Oxy announced in The Mercury on Jan. 27 will not prevent future health harm from the dangerous contamination left behind, and taxpayers will eventually be on the hook for Oxy's toxic legacy. There has never been full disclosure, much less complete clean-up. EPA failed to fully assess and disclose the extent of contamination, including that reported to ACE by nearby residents and Oxy workers. What could happen to people on or near the Oxy site in years to come? News from upstate New York recently revealed serious nervous system disorders in dozens of teens and adults, including uncontrolled twitching, flailing, and vocal outbursts that are destroying their quality of life. The cause is believed to be a toxic train derailment in the 1970s. (This appeared on Friday's Early Bird)

TOWANDA DAILY REVIEW

From Early Bird Mike Uretsky: Guest Column: Moving the gas engine forward Pennsylvania has one of the largest natural gas deposits in the world. Its responsible development can enhance national security and heighten economic recovery for our country, state and citizenry - all while moving us toward a sounder environment. While Governor Corbett's 2-12-13 Budget and the related Comprehensive Shale Legislation outline successes, plans for recovery, and updates to shale development regulations, other actions are needed to continue the momentum. These actions are straightforward, can yield significant benefits, and reflect insights gained while serving on a DOE energy task force.

Clarification: Views of some municipal officials on impact fee not explained sufficiently Many municipal officials are not only concerned about the financial problem that will be created for gas drilling companies by imposing the impact fee on wells drilled in earlier years, they also feel this "reachback" provision is unfair, Bradford County Commissioner Doug McLinko said. Many municipal officials feel that wells drilled in earlier years should not be subjected to the impact fee, given the large investment that gas companies have made in local road reconstruction, the donations these companies have made to local charitable causes, and the help they provided in the cleanup from the flooding last year, McLinko said. The views of municipal officials were not explained sufficiently in a story about the "reachback" provision, which ran in Friday's Daily Review. Only one year's worth of the impact fee tax will be owed on any well this year, regardless of whether it was drilled in 2009, 2010, or 2011.

Physicist to speak at upcoming gas drilling forum SPENCER, N.Y. - Residents, legislators, town, village, and planning board members, and neighbors of Spencer-Van Etten are invited to hear from a physicist who specializes in fracture engineering and from a Pennsylvania resident. At 7 p.m. on Tuesday, March 27 in the Spencer Town Hall, local citizens are hosting a forum, "Gas Drilling: The Science, the Myths, the Dreams, the Realities," with Professor Anthony Ingraffea, Ph.D., the Dwight C. Baum Professor in Engineering at Cornell University, and Victoria Lee Switzer, a retired social studies teacher and resident of Susquehanna County, Pa.

THE DANVILLE DAILY ITEM

From Early Bird State tells natural gas drillers to reuse water

HARRISBURG -- With 7 million gallons of water withdrawn from Pennsylvania waterways each day for use in the natural gas industry, the state Department of Environmental Protection has revised a general permit that encourages recycling wastewater and fluids from oil and natural gas drilling. The permit would also lower water withdrawal amounts for hydraulic fracturing. The permit aims to streamline recycling by what is called a closed-loop process, in which liquid waste from oil and gas well sites is treated or processed, then used again, said Kevin Sunday, DEP spokesman. DEP said the permit applies to oil and gas sites and other related infrastructure. Liquid waste, by DEP's definition, includes brine, flowback water, drilling muds and storm water that may collect on drill pads. "The idea is to facilitate recycling to cut down on freshwater withdrawal," Sunday said.

GANT DAILY

From Early Bird PENNVEST, DEP Announce Results of Forward Nutrient Credit Trading Auction

HARRISBURG – The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection, along with financial information services company Markit, has held the first “forward” auction in 2012 for the sale and purchase of nutrient credits in Pennsylvania’s Chesapeake Bay watershed. A “forward” auction means that the certified credits sold on March 21 will be delivered later and applied to the 2012-15 compliance years. The auction affords wastewater treatment plants and other regulated entities the opportunity to purchase credits to meet their nitrogen and phosphorus discharge limits for these compliance years.

LANCASTER ONLINE

From Early Bird Toomey seeks reduction of EPA fine against Manor Township Republican Sen. Pat Toomey

asked the Environmental Protection Agency last week to reduce — or dismiss entirely — the \$128,608 in fines that four Pennsylvania communities face for noncompliance with the Clean Water Act's stormwater management regulations. Manor Township, Swatara Township and Lebanon and York cities were cited in 2010 for being in violation of provision 13 of the National Pollutant Discharge Elimination System, which regulates urban runoff. A subsequent EPA review of Manor Township's records determined that the municipality's documentation and training were inadequate or incomplete. In a letter to EPA administrator Shawn Garvin, Toomey took issue with the agency's decision and requested a detailed explanation of its rationale.

LEBANON DAILY NEWS

From Early Bird Patriotic question raises red flag in Jackson

MYERSTOWN - The Jackson Township supervisors on Monday night discussed the possibility of placing a flagpole in Fairlane Avenue Park after a request by a resident. Both Chairman Dean Moyer and Vice Chairman Tom Houtz said the township was not allowed to dig deeper than two feet at the park. Buried beneath the park land is the former Whitmoyer Superfund site. In the mid-1980s, the Environmental Protection Agency condemned the Whitmoyer Laboratories site at 99 S. Fairlane Ave. because arsenic, which the lab used in decades past in the production of veterinary food additives and pharmaceuticals, had contaminated the soil and groundwater. Production at the plant ceased in 1987, and the 25-acre site was abandoned. For the cleanup at the site, a study group removed several feet of contaminated dirt from the property, and a 2-foot layer of clean topsoil was added. The cleanup project was finished in 2002. MYERSTOWN - The Jackson Township supervisors on Monday night discussed the possibility of placing a flagpole in Fairlane Avenue Park after a request by a resident.

Judge nixes drillers' contempt claim in Pa. forest ERIE, Pa.—A federal judge has rejected claims by Marcellus shale drillers that the U.S. Forest Service was in contempt of the judge's 2009 order requiring the service to start processing drilling requests in the Allegheny National Forest in northwestern Pennsylvania. The drillers claimed the forest service violated the order by denying drillers the use of surface or groundwater for hydraulic fracking and by taking more than 60 days to process the drilling notices. The Pittsburgh Tribune-Review (<http://bit.ly/H9zjga>) reported Monday that the judge agreed the law doesn't allow the forest service to deny drillers access to water and the mineral rights beneath the surface of land the forest service controls. But the judge says the forest service can still ban the use of the water as part of its limited rights to control how drillers operate in the forest. Information from: Pittsburgh Tribune-Review, <http://pghtrib.com>

PITTSBURGH BUSINESS TIMES

From Early Bird EPA to look carefully at Shell's cracker Shell's proposed ethane cracker near Monaca will get a thorough review from the U.S. Environmental Protection Agency . The Pittsburgh Post-Gazette reported that the cracker could add to Beaver County's air pollution and would have to have what it calls the "best available control technologies" to keep emissions down to a minimum. Air quality will be something that the EPA will consider

PITTSBURGH TRIBUNE-REVIEW

Erie federal judge rejects oil and gas industry motion

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DEP chief dismisses criticism of state oil, gas regulations Pennsylvania's top environmental official called the idea that new oil and gas regulations cripple municipal control over the industry "overblown." Speaking before the

Pittsburgh Airport Area Chamber of Commerce on Friday, Department of Environmental Protection Secretary Michael Krancer said he does not think the Act 13 law "changed the world that much." "Municipalities never had the authority to bar anything from their borders," he said. A proposed lawsuit from seven communities claims Act 13 unconstitutionally strips local governments of some of their regulation power because it allows the state to set standards for where and when drilling can occur. It allows local governments to enact an optional per-well fee on drillers based on the average annual price of natural gas. The law, which the General Assembly passed last month, is scheduled to take effect on April 14. Petitioners in the lawsuit include Peters, Robinson, Mt. Pleasant and Cecil, all in Washington County, as well as South Fayette in Allegheny County. In the northeastern part of the state, Nockamixon and Yardley in Bucks County joined the effort. Municipalities will pay their solicitors for legal work and split costs for expert witnesses.

Property owners explore options A natural gas landman last year made a six-figure pitch to Carl Mills to buy the mineral and royalty rights for his 16 acres in Fayette County. "I thought it was a windfall and was going to take it," Mills, 58, of Grindstone said last week about the \$100,000 offer that would have enhanced his savings account but would have given Advance Royalty Solutions all future profits for gas produced from his property. "I declined the offer, and have been second-guessing that decision ever since." With natural gas prices at their lowest point in a decade, the booming Marcellus shale industry in Western Pennsylvania and elsewhere is undergoing growing pains. Prices fell from about \$4.60 per thousand cubic feet in January 2011 to near \$2.20 this week. Prices in 2008 were around \$8 per thousand cubic feet. Marcellus wells can produce more than a million cubic feet of natural gas per day, according to Penn State Extension estimates. When reviewing the plant, an expert told the Post-Gazette.

Online information sessions on oil, gas statutes planned The state Department of Environmental Protection will host online information sessions on Act 13, which Gov. Tom Corbett signed into law in February to revise oil and gas statutes. Act 13's environmental provisions for unconventional gas operations, which take effect on April 16, include increased setbacks from buildings and waterways, limited development in flood plains and increased time and distance provisions in which gas drillers are presumed liable for water contamination until evidence proves otherwise. Operators must register their hydraulic fracturing fluid ingredients with FracFocus.org, a website created by the Ground Water Protection Council and Interstate Oil and Gas Compact Commission to make such information is accessible to the public.

Towns find it tough to revitalize with less state assistance Cuts in state spending for redevelopment aid in small towns like the communities along the lower Allegheny River is the new challenge for towns struggling to revitalize. About 75 government and business leaders met last week at the Millvale Community Center to discuss future redevelopment during the annual meeting of the Allegheny River Towns Enterprise Zone. ARTEZ promotes the business interests of O'Hara, Blawnox, Aspinwall, Sharpsburg, Shaler, Millvale and Etna. The state designated ARTEZ as an enterprise zone in 2005 and since then, the nonprofit has brought in millions of dollars in tax breaks, tax credits, capital investment, small grants, loans and other assistance such as environmental assessments for old industrial properties.

Ohio dirtiest river, PennEnvironment study finds From the choice of photo on the report's cover to its portrait of contaminants in the nation's rivers, environmental experts questioned a study released on Thursday that said the Ohio River has more industrial pollutants than any major river in the country. PennEnvironment, a nonprofit, environmental advocacy group, prepared the 48-page report, "Wasting Our Waterways 2012." It paints a harrowing picture of the country's rivers and lakes and ranks Pennsylvania seventh among the states in toxic industrial emissions that get into waterways. The state Department of Environmental Protection said the report's cover photo, showing a pipe pumping dark, murky water into what appears to be a waterway, is an edited version of a stock photo showing dark-colored water gushing from a pipe into a contained treatment facility. The photo is from Shutterstock, a website with stock photos.

Miss Teen Earth Pa. title shows where beliefs lie for Harrison girl Megan Rosenberger's journey to become Miss Teen Earth Pennsylvania 2012 started out in an unlikely place -- a baseball game in Wisconsin. There, her big

sister, Elizabeth Rosenberger, saw Miss Teen Earth California throw out the opening pitch at her boyfriend's college game. When the two found out that the title was about advocating for environmental causes, they encouraged the Harrison teen to step up to the plate. "But we can't take full credit," Elizabeth Rosenberger said, "because Megan definitely had to work hard and prove that she deserved the title." To do so, the St. Joseph High School junior went through a series of interviews. Now that she has been crowned with the top spot in Pennsylvania, she'll represent the state at a national competition in Daytona Beach, Fla., in August. The Miss Teen Earth competition is part of one of the largest beauty pageants in the world. Its motto is "beauties for a cause." In addition to competing through their beauty, grace and charm, contestants are judged on their awareness of and involvement with environmental issues.

WILKES-BARRE CITIZENS' VOICE

Survey: Drilling isn't bringing in much tax money

A quarter of Pennsylvania public school officials in districts located above the Marcellus Shale say their schools have adjusted curriculum to adapt to the natural gas industry's work force needs, but less than 5 percent have seen an increase in local tax revenues, according to survey results released this week by Penn State Cooperative Extension. The study examined challenges and changes facing schools in areas of rapid Marcellus Shale development based on a survey of nearly 1,000 superintendents, Career Technology Center directors, and high school principals and curriculum directors in the 17 intermediate units underlain by the shale formation. Researchers received responses from 78 school leaders in areas with a high amount of well-drilling activity, 294 school leaders in areas with less drilling activity, and 24 CTC directors. More than 80 percent of officials in districts with a high level of drilling activity and more than 50 percent of officials in districts with less activity agreed that Marcellus development will have a "big effect" on their local economy and work force needs. But about two-thirds of the surveyed officials said they did not have enough detailed information about Marcellus work force needs to justify changing their curriculum to address it, and the same number said financial constraints would make it difficult to make curriculum changes in response to the new industry.

UNIONTOWN HERALD-STANDARD

Fayette must bring zoning into compliance for gas drilling Fayette County Commissioner Angela M. Zimmerlink said Friday the county's zoning ordinance is not in compliance with state legislation that requires counties to allow drilling for natural gas in all areas, and indicated she would work toward making sure the ordinance complies with the law. Her remarks came in response to a question about what the county is doing to ensure that it complies with Act 13, posed during a legislative luncheon hosted by the Fayette Chamber of Commerce.

THE DOYLESTOWN INTELLIGENCER

Environmentalists gather evidence in case of gas drilling pollution in Nockamixon While a gas and oil company works to secure a permit to drill in Nockamixon, a small group of local scientists and environmentalists are moving quickly to put a safeguard in place. The Bridgeton Nockamixon Tinicum Groundwater Committee has gained the support of those three townships to move forward with a project to install water meters in the Rapp Creek, an exceptional value waterway located along the proposed natural gas well site. A meter would be positioned near the proposed gas well pad site. Another two would later be installed upstream and downstream of the 102-acre former Cabot chemical property once drilling begins. The hazardous waste site is located in the township's Revere section, near Routes 611 and 412.

Warminster gears up for stormwater projects Warminster officials hope to put a damper on flooding in parts of the township. Two areas of immediate focus are the Penrose Lane area, east of Archbishop Wood High School, and the intersection of 8th Avenue and Greene Road, just west of York Road and north of County Line Road. Both are residential sections that flood with heavy rains. Problems can be traced back to a lack of modern stormwater design when those areas were developed decades ago, said Kurt Schroeder. He's the construction services manager at Gilmore and Associates Inc., the New Britain-based engineering and consulting company handling the jobs. "These days, the (stormwater management) process keeps getting more and more complex, so now we're also worrying

about getting more water back into the ground. We're trying to improve on the things that were done before," Schroeder said.

CARLISLE SENTINEL

DEP, Game Commission to hold peregrine falcon workshop The Pennsylvania Department of Environmental Protection and the Pennsylvania Game Commission will hold a peregrine falcon workshop for students, youth groups and scouts Tuesday, April 3. Held in cooperation with ZooAmerica North American Wildlife Park, the workshop will take place from 9 a.m. to 3 p.m. in the Rachel Carson State Office Building, 400 Market St., Harrisburg. Participants will explore the successes of peregrine falcon reintroduction in Pennsylvania, examine falcon specifics, observe falcons in Harrisburg and learn about other endangered species. Lunch and refreshments also will be provided.

WFMZ -Allentown

Allentown rewarded for 'green' efforts ALLENTOWN, Pa. - The City of Allentown is proud of its recycling efforts...and has a new grant to reinforce those efforts. The state Department of Environmental Protection has awarded Allentown \$265,000 in a Recycling Program Performance Grant, which reflects the city's nearly-20,000 tons of residential and commercial materials recycled by city residents and businesses in 2010. These state performance grants are based on the type and weight of materials recycled from residential, commercial and drop-off recyclin.

DELAWARE

CAPE GAZETTE

From Early Bird Delaware legislators urge completion of refuge plan Milton — Delaware's congressional delegation is making a full-court press urging the U.S. Department of the Interior to release the long-awaited Prime Hook National Wildlife Refuge comprehensive conservation plan. In a letter to Interior Secretary Ken Salazar, the delegation expresses a strong desire for "an expeditious conclusion to this extraordinarily long process." The letter is signed by Sen. Tom Carper, Sen. Chris Coons and Rep. John Carney.

NEWSWORKS

From Early Bird Delaware City residents getting a read on their air quality Residents of Delaware City are hoping a new monitoring effort will give them a better sense of what effect the nearby refinery has on the air they breathe. Air monitors in three residential areas near the Delaware City Refinery are testing for dust, volatile organic compounds, sulfur dioxide and ammonia for two weeks this month. Sarah Bucic, of the Delaware City Environmental Coalition, said they will compare the results with air samples taken last year when the refinery was temporarily closed.

DELMARVA DAILY TIMES

ENVIRONMENT: Beaches shored up

Despite occasional rain, more than 600 volunteers made their way to the beaches Saturday morning to do their part in the 23rd annual Delaware Beach grass planting. Beginning at 9 a.m., the volunteers were dispatched to Rehoboth Beach, Dewey Beach, Bethany Beach, Bowers Beach and South Bowers Beach, where they planted more than 100,000 stems of beach grass, said Jennifer Luoma, event coordinator and an environmental scientist with DNREC's Shoreline and Waterway Management Section.

After unseasonable temps, dolphins found in Delaware early

LEWES -- Temperatures barely dipped below 30 degrees all winter long and, now that spring is here, dolphins and other marine life have arrived early to the Delaware coast. Suzanne Thurman, the executive director of the Marine Education, Research and Rehabilitation Institute, said bottlenose dolphins typically begin to appear in the area during the second week of April, but there have already been several sightings reported.

WASHINGTON, D.C.

WASHINGTON POST

From Early Bird Rising concern on climate change

(Saturday) RISING SEA levels threaten to inundate low-lying roads in Louisiana, costing billions in port activity, The Post's Juliet Eilperin reports. Northrop Grumman sees potential damage to billions in shoreline defense infrastructure, such as the imperiled drydock in Hampton Roads built to construct the next generation of aircraft carriers. Other factors are also at work in these examples of rapid coastline loss. But Louisiana and Virginia offer a picture of how further sea-level rise and higher storm surges — just one set of climate-related risks — could seriously disrupt human activity.

From Early Bird Public meetings will be held on uranium mining in Virginia The National Academy of Sciences will hold a series of meetings next week to brief the public on its two-year study of uranium mining in Virginia. The meetings will be held in Fairfax County on Wednesday, Charlottesville on Thursday and Richmond on Friday. The report said uranium could be mined but that Virginia Uranium, a company seeking to mine a massive site in Southside, would have to take measures to protect workers, the public and the environment in Virginia, which has no experience unearthing a radioactive element. Several members of the committee that wrote the report will present the findings and take audience questions.

From Early Bird Virginia Politics : Fairfax County executive urges caution on budget Fairfax County Executive Anthony H. Griffin warned that people who have become accustomed to the county's full array of excellent services will probably have to scale back their expectations for some time to come because of the recent recession. In a visit to the Fairfax County Federation of Civic Associations Thursday night to discuss his proposed budget, Griffin directed his remarks about managing reduced expectations to both the residents and elected officials he serves on the Board of Supervisors....In response to questions about his proposed one-cent increase in the stormwater rate, Griffin said the county will have to spend still more to meet stricter water-quality regulations designed to clean up Chesapeake Bay. He estimated that the stormwater rate will probably have to increase by six cents or more soon to cover the expense of upgrading treatment plants to comply with standards imposed by the U.S. Environmental Protection Agency and its state counterpart.

From Early Bird Bag fee dead in Prince George's An attempt to give Prince George's County lawmakers the authority to impose a 5-cent fee on disposable shopping bags has died in Annapolis. The bill, backed by County Executive Rushern L. Baker III (D), the Prince George's County Council and a majority of the county's delegates and senators, fell one vote short of a majority Saturday in the House Environmental Matters Committee.

From Early Bird Hawaii bird-watching: A land of unusual, and often endangered, species

WEST VIRGINIA

CHARLESTON GAZETTE

From Early Bird EPA's veto of Spruce Mine permit overturned

Judge: Agency's interpretation of Clean Water Act 'unreasonable' CHARLESTON, W.Va. -- A federal judge has overturned the Obama administration's veto of the largest mountaintop-removal mining permit in West Virginia history, saying the agency greatly oversteps its authority in blocking the controversial project. U.S. District Judge Amy Berman Jackson ruled that the federal Environmental Protection Agency is not authorized to withdraw a Clean Water Act permit that already was issued by the U.S. Army Corps of Engineers.

BLUEFIELD DAILY TELEGRAPH

From Early Bird Reining in the EPA

State coal industry leader calls on Senate to act on H.R. 2018 BLUEFIELD — The ruling by U.S. District Judge Amy Berman Jackson of the Washington, D.C., district that the Environmental Protection Agency overstepped its authority by revoking Arch Coal's surface mine permit at Mingo Logan's Spruce Mine No. 1, has seemingly energized the regional coal industry. On Sunday, the West Virginia Coal Association issued a press release, praising Jackson's ruling, and renewing its push for support in the U.S. Senate for H.R. 2018, the "Clean Water Cooperative Federalism Act." U.S. Rep. Nick Rahall co-sponsored H.R. 2018, a bill that passed the House in July 2011, but has not received favorable treatment in the Senate. The bill seeks to restore appropriate balance on EPA's relationship with other federal agencies, according to the Coal Association's press release.

HUNTINGTON HERALD DISPATCH

From Early Bird Council to look at plan for storm water-related pollution HUNTINGTON -- The city of Huntington's plan to deal with storm water-related pollution will be up for review during City Council's meeting Monday, March 26. On the agenda is a resolution authorizing Mayor Kim Wolfe to submit a five-year plan to come into compliance with the city's federal storm water permit. The plan would satisfy the Environmental Protection Agency, which levied a fine against the city last year for noncompliance. But the plan also could result in the creation of a storm water utility and local regulations that monitor runoff at construction sites and require the city to hire more inspections and compliance officers, among other things.

From Early Bird Environmental Groups Vow to Fight Mountain Top Ruling **Washington, D.C.** — The U.S. District Court for the District of Columbia today ruled in the case where industry has attacked the Environmental Protection Agency's veto of the extremely destructive Spruce No. 1 Mine in West Virginia. The following is a statement from the environmental and community groups who were granted amicus curiae status by the court — Sierra Club, Ohio Valley Environmental Coalition, Coal River Mountain Watch, and the West Virginia Highlands Conservancy, represented by attorneys at Earthjustice and Appalachian Mountain Advocates: "It is a sad day not only for the people who live near mountains and streams threatened by mountaintop removal coal mining, but for all Americans who understand the need to protect our waterways, and the health of communities that depend on them. We are deeply disappointed and concerned about the effect of today's court ruling because mountaintop removal mining has already caused widespread and extreme destruction to the mountains, waters, and communities of Appalachia. The Spruce No. 1 Mine permit, in particular, was one of the largest mountaintop removal permits ever proposed in Appalachia, and it is located in an area of West Virginia that has already been devastated by several large mountaintop removal mines.

ASSOCIATED PRESS (W. Va.)

From Early Bird Federal judge: EPA overstepped authority revoking permits for Arch Coal surface mine in W. Va.

(Friday) MORGANTOWN, W.Va. (AP) -- The U.S. Environmental Protection Agency exceeded its authority last

year in revoking water pollution permits that another agency had issued for one of West Virginia's largest mountaintop removal coal mines, a federal judge in Washington, D.C., ruled Friday. In siding with St. Louis-based Arch Coal, U.S. District Judge Amy Berman Jackson declared the permits were valid. The U.S. Army Corps of Engineers had issued the permits for the 2,300-acre Spruce No. 1 mine in Logan County. "This is a huge victory for West Virginia and our coal miners," said Gov. Earl Ray Tomblin, who urged EPA Administrator Lisa Jackson "to admit that they have gone too far."

From Early Bird W.Va. residents attend beekeeper school

HUNTINGTON, W.Va. -- Some West Virginians who want to start their own hives and make some honey got a taste of the craft at a weekend beekeeping school. The Cabell-Wayne Beekeepers Association held the introductory class at Heritage Farm Museum and Village. The class covered basic equipment, protective clothing, observing bees in action and putting together a woodenware hive.

MCCLATCHY NEWSPAPERS

From Early Bird As natural gas production grows, questions arise about methane leaks WASHINGTON -- As natural gas production in the United States hits an all-time high, a major unanswered question looms: What does growing hydraulic fracturing mean for climate change? The Obama administration lists natural gas as one of the "clean energy sources" it wants to expand. When burned, natural gas emits about half the heat-trapping carbon dioxide as coal. Yet natural gas production can result in releases of methane into the atmosphere. Methane, the primary component of natural gas, is 25 times more potent as a greenhouse gas than carbon dioxide. Methane can enter the atmosphere when gas is stored or transported, but it's particularly a concern with shale gas production during flowback -- when fracking fluids, water and gases flow out of a well after drilling but before the gas is put into pipelines.

WEST VIRGINIA METRO NEWS

Different Views Of Spruce Mine Decision

After years in limbo, Arch Coal now has the go ahead to move forward with what could be the largest mountaintop removal mine project in West Virginia. Last week, U.S. District Judge Amy Berman Jackson issued a ruling that restored the validity of the permit for the Spruce Number One Mine in Logan County. "It was one of the stronger decisions and one of the more directed or practical written decisions that I've seen," West Virginia Coal Association President Bill Raney said of the decision on Monday's MetroNews Talkline. In a 36 page ruling, Judge Berman Jackson says the federal Environmental Protection Agency exceeded its authority when it stopped the permit for the Spruce project back in January 2011. "As someone that's witnessing the consequences of mountaintop removal, I can only view this ruling as a cold shoulder," Bo Webb, an environmentalist from Raleigh County said on Monday's MetroNews Talkline. "It's a failure to acknowledge those who live in mountaintop removal communities and the growing health crisis that we're experiencing." The U.S. Army Corps of Engineers first approved the permit for the project in 2007. In the original plan, Arch officials had said the Spruce surface mine would employ more than 230 miners at full production. Raney says the repeated delays could change that plan.

Where Are They Drilling? Folks concerned about plans for gas drilling in their neck of the woods now have an opportunity to learn about those plans before the drill starts running. The state Department of Environmental Protection recently launched a website which enables a person to obtain key information about a well permit application in their area. "Really what we're trying to give people is an opportunity to research well applications, to comment on those applications and to read other people's comments on those applications," DEP Spokesperson Tom Aluise tells MetroNews.

MARYLAND

BALTIMORE SUN

From Early Bird Commentary: The Chesapeake Bay's measure of success

Healing the damaged bay begins with the unsexy but indispensable work of monitoring and sampling. And if I could go back to when the Chesapeake Bay's health was better and make changes to keep it that way, a lot of them would focus on simply taking the estuary's vital signs. By Tom Horton

From Early Bird Climate experts talk of 'season creep' while growers fret over early spring Spring has come early to Maryland, thanks to a run of unusually warm weather that awakened flowers, trees, birds and bees weeks ahead of schedule across much of the eastern United States. Climate experts refer to "season creep," with winters getting warmer and growing seasons longer, on average. Fruit growers, meanwhile, worry about a sudden frost ruining their crops.

From Early Bird Baltimore awarded \$2.9 million to clean up lead paint

Grant boosts efforts stalled when a grant was lost in 2011. The Baltimore housing department received a \$2.9 million federal grant Friday to clean up poisonous lead paint found in the walls of thousands of city buildings. Baltimore will receive \$2.9 million from the federal government to fix lead-paint hazards in more than 200 homes, the U.S. Department of Housing and Urban Development announced Friday — a vote of confidence in the city's efforts to resolve past problems with its abatement program. "It's a tremendous boost to our work in protecting children from lead-paint poisoning," said Ken Strong, an assistant city housing commissioner who began overseeing the program last year after Mayor Stephanie Rawlings-Blake moved it from the health department to the housing agency.

SALISBURY DAILY TIMES

From Early Bird Somerset water dispute nears end

PRINCESS ANNE -- Two wells that will pump water through a new reverse osmosis system before it flows out of customers' taps could be online later this year, marking the symbolic resolution of an old dispute between the Somerset County Sanitary Commission and the state. As part of a 2009 agreement, Maryland Environmental Service, which operates water and sewer systems at Eastern Correctional Institution, will treat Princess Anne's water with a new reverse osmosis system that was financed by the state.

ANNAPOLIS CAPITAL

From Early Bird Our Bay: Bay cleanup needs consequences One of the core principles of law enforcement is that crime shouldn't pay. Quite the contrary, in fact: The consequences associated with breaking the law ought to be sufficient to deter violations. That same principle should apply when it comes to deterring pollution in Maryland's most precious national resource, the Chesapeake Bay. Those who pollute the bay illegally ought to pay the price. Unfortunately, that's not how we do business in Maryland. Neither Maryland law nor explicit Maryland Department of the Environment policy requires polluters who violate the law to surrender any windfall that results from their law-breaking.

THE STAR DEMOCRAT

From Early Bird Bill seeks a discharge surcharge to help oysters ANNAPOLIS Antiquated and poorly maintained sewer systems that overflow and leak may not pay fines to the Maryland Department of the Environment, but Delegate Jay Jacobs thinks they should carry some of the cost for oyster restoration. In a March 14 press release, Jacobs said, "The natural filtering provided to the Bay by the oysters must be restored and the effort to do so must start as soon as possible. Funding is critical. This bill provides the means."

FREDERICK NEWS POST

From Early Bird Septic bill concerns farmers ANNAPOLIS -- As owners of a New Market farm that raises Christmas trees, corn, soybeans, pumpkins and cow herds, Lisa Gaver and her husband clearly like options. So they're not happy about a proposal currently in the state legislature to control septic system use and possibly limit the development potential of their land. Although she and her husband, Mike, aren't looking to sell to any builders, Gaver believes stripping her 1,100 acres of some possibility for housing growth would undercut the value of her property, a frustrating prospect to her.

ASSOCIATED PRESS (Md.)

From Early Bird Attempt to allow Prince George's to impose 5-cent tax on disposable bags fails in Annapolis UPPER MARLBORO, Md. — An attempt to allow Prince George's County lawmakers to impose a 5-cent fee on disposable shopping bags has died in the General Assembly. The bill fell one vote short of a majority in the House Environmental Matters Committee on Saturday. It had been supported by Prince George's County Executive Rushern Baker, the county Council and a majority of the county's delegates and senators.

MARYLAND MORNING

3-36-12: The Sauer Dump Superfund Site

The Sauer Dump site has recently been declared a Superfund site. But what does that mean for how it gets cleaned up? We talk with Linda Dietz, the EPA Branch Chief for Superfund Sites in Maryland and western Pennsylvania, about the site and how it's going to get cleaned up. Baltimore Gas and Electric is one of the parties considered responsible for the contamination. They opposed declaring the site a Superfund area, the following is what they told us when we asked why. BGE is committed to environmental stewardship and has very comprehensive plans and processes in place to ensure the company operates in an environmentally responsible manner. BGE is aware that the EPA has conducted investigations at the property in the past and has fully cooperated with the EPA's information requests about the site. We also asked the Maryland Department of the Environment to join our conversation, they declined and sent us this statement:

VIRGINIA

RICHMOND TIMES DISPATCH

From Early Bird Environmental protesters target Dominion Va. Power More than 100 protesters braved a drenching rain in Kanawha Plaza to listen to a series of speeches from activists decrying what they said is Dominion's overreliance on fossil fuels and nuclear power and opposition to clean-energy legislation.

From Early Bird Commentary: Hanson: Green faith-based energy policies STANFORD --When the summer driving season starts soon, and tension heats up over Iran, gas may reach \$5 a gallon. Nothing bothers voters more than paying an extra \$20 or \$30 every time they fill up. In times like these, they soon might prefer even an oilman in the White House to an ideologue whose opposition to new oil development seems more religious than empirically based. All presidents, of course, usually get the blame or praise when the price of gas skyrockets or plummets, just like they own a bad or good economy, or a successful or failed war.

From Early Bird Biz Buzz: Amelia Springs brings biodegradable bottle to local retailers Amelia Springs Natural Spring Water is selling a new biodegradable bottle at three local grocery stores and hopes to get it into more locations in the very near future.

From Early Bird Uranium study group: Transparent enough, or needlessly secret?

Gov. Bob McDonnell's administration is striking back against criticism that its uranium-mining study group is being secretive.

GODANRIVER.COM

From Early Bird Editorial: '70s lessons we could heed today Chatham businessman Ben Davenport Jr. spoke from experience when, as a member of the Alliance for Progress in Southern Virginia, he wanted the General Assembly to keep Virginia's uranium mining moratorium in place and continue to review the uranium mining studies. We took that same position a year ago because we believed that everyone would need time to "study the studies." Davenport's stand led several writers to this page to question his involvement in an EPA Superfund site in Blairs. "What bothers me is all the regulations that have been adopted and implemented for the uranium mining and milling over the last 35 years and someone like Ben Davenport and First Piedmont come out against it and you find that they have terrorized the environment," said Pittsylvania County native and Hilton Head Island, S.C., resident Kenneth O. Shelton. "And that bothers me because it's hypocritical."

WTVR

From Early Bird Report: Virginia second in nation in water pollution RICHMOND, Va. (WTVR) – More toxic chemicals were dumped into Virginia's waterways in 2010 than nearly any other state, according to a new report from Environment Virginia. 18 million pounds of toxic chemicals were released into the Commonwealth's lakes, rivers and streams according to a release issued by the environmental group. That makes Virginia second to only Indiana in the nation in terms of water pollution. The numbers were compiled using data on chemical releases reported to the Environmental Protection Agency.

ASSOCIATED PRESS (Va.)

Dominion making repairs to North Anna pipe leak LOUISA, Va. (AP) -- Dominion Virginia Power is repairing a leak in a steam generator pipe at its North Anna Nuclear Power Station in central Virginia but the company and the Nuclear Regulatory Commission say it doesn't pose any public threat. The state's largest electric utility said Monday that workers doing repairs to one of the plant's reactors over the weekend noted a small amount of water seeping through a weld in a pipe. The work was being performed as part of the scheduled refueling process for the reactor. Workers were upgrading three connections or welds between some of the steam generator pipes that are known to wear down over time due to heat and stress, said Dominion spokesman Richard Zuercher.

Aftershocks from 2011 quake continue in Va. MINERAL Virginia continues to experience aftershocks from last summer's earthquake. The U.S. Geological Survey says a 3.1-magnitude aftershock occurred at 11:21 p.m. Sunday, 8 miles south of Louisa and 8 miles south-southwest of Mineral. Mineral was the epicenter of the 5.8-magnitude earthquake that struck on Aug. 23, 2011. No damage has been reported.

MISCELLANEOUS

POLITICO

From Early Bird Judge slams EPA for axing coal permit A federal judge slammed an Obama administration gambit to revoke mountaintop mining permits Friday, saying the EPA invented authority where there was none. "EPA resorts to magical thinking" to justify nullifying permits issued by the U.S. Army Corps of Engineers for Arch Coal Inc.'s Mingo Logan mine in West Virginia, wrote U.S. District Judge Amy Berman Jackson in Washington, D.C.

ASSOCIATED PRESS

From Early Bird Ohio gas drilling raises concern over water supply COLUMBUS, Ohio -- Drillers hoping to retrieve gas through Utica shale wells in eastern Ohio are drawing water for their operations from ponds and streams or purchasing it from public reservoirs, worrying environmentalists who say it might endanger water supplies for the public and wildlife if there's not enough water for everyone. The drilling process known as hydraulic fracturing, or fracking, injects millions of gallons of chemical-laced water into the earth at high pressure to free gas.

From Early Bird Biz to Go: Exxon Valdez sold, likely destined for scrap heap NEW DELHI -- The notorious Exxon Valdez tanker has been bought by an Indian company, and is almost certainly to be scrapped for its steel and spare parts. Best Oasis Ltd. would not disclose the price or purpose of its purchase, but it buys old ships solely to dismantle them, reuse salvageable material and discard the rest.

Environmentalists puzzled over claims

NEW YORK — Mitt Romney says President Barack Obama blocked construction of the Keystone XL oil pipeline as a gift to environmentalists. Newt Gingrich calls Obama “President Algae” for supporting research on biofuels. And Rick Santorum says Obama’s environmental views constitute a “phony theology” that prioritizes the earth over people.

THE HILL (blog)

Protecting the Chesapeake Bay while preserving agriculture and local economies With new environmental regulations looming overhead, there is much uncertainty for those who live, work, and farm in the Chesapeake Bay watershed. Whether you reside in the Washington Metropolitan Area or the Shenandoah Valley of Virginia, the goal of all involved is the same: the continued health and vitality of the Chesapeake Bay. However, the methods proposed by the Environmental Protection Agency (EPA) to reach this goal would limit economic growth and unfairly over-regulate agriculture producers and local economies. The EPA’s complex Total Maximum Daily Load (TMDL) is of great concern to communities in the watershed. The TMDL sets the limit on the amount of nitrogen, phosphorus, and sediment discharged into the Bay and each of its tributaries by different sources. Although the Clean Water Act requires the EPA to establish a TMDL, the power is reserved by the states to determine how to improve water quality, including determining nutrient reduction allocations among different types of point and nonpoint sources. The EPA clearly exceeds their authority in the proposed TMDL by setting specific nutrient reduction allocations.

STEEL GURU

AEP to retire fewer coal fired units than planned

Reuters reported that American Electric Power will retire fewer coal fired plants than it had anticipated last year, as it seeks approval to modify an 800-megawatt plant instead of shutting it down. The power company said it plans to retire 11 coal-fuelled units with a total power generation capacity of more than 4,600 MW to comply with strict emission norms laid down by the Environmental Protection Agency. Last year, it had said it would retire 6,000 MW of coal fired generation to comply with the rules. Rivals FirstEnergy and Duke Energy had also announced major coal closures. AEP said its new estimate differed from last year as it has already closed down a 450-MW unit in February and has decided to seek regulatory approval in Kentucky to retrofit the Big Sandy unit 2 with emission control equipment.